

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID M. NJENGA,

Plaintiff,

v.

WARREN WIGEN, et al.,

Defendants.

No. C08-5679RJB

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of Magistrate Judge J. Richard Creatura (Dkt. 68). The Court has considered the Report and Recommendation and the remaining file herein.

On September 20, 2010, this case was referred to Magistrate Judge Creatura for the purposes of pursuing a settlement agreement. Dkt. 66. On September 24, 2010, Magistrate Judge Creatura issued a Report and Recommendation stating that the parties reached a settlement agreement resolving all issues between the parties. *Id.* Magistrate Judge Creatura also recommended that this Court exercise its discretion to relieve Plaintiff of any further obligation to pay the filing fee for this case. *Id.* The Court concurs with the analysis of the Magistrate Judge and should include such a provision in the order dismissing this case.

1 Therefore, it is hereby **ORDERED** that the Report and Recommendation (Dkt. 68) is
2 **ADOPTED.**

3 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
4 to any party appearing *pro se* at said party's last known address.

5 DATED this 27th day of September, 2010.

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8 ROBERT J. BRYAN
9 United States District Judge
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